

UNITED STATES DISTRICT COURT  
for the  
Eastern District of Michigan

United States of America

v.

Brian Anthony Harris

Case No. 2:21-mj-30217

Judge: Unassigned,

Filed: 05-10-2021 At 10:14 AM

CMP USA v. Brian Anthony Harris (krc)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 8, 2021 in the county of Wayne in the  
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 111

Assaulting, impeding or resisting, certain officers or employees.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

Date: May 10, 2021City and state: Detroit, Michigan*Complainant's signature*Special Agent Jeremy Forys, Homeland Security Investigations*Printed name and title**Judge's signature*Hon. Patricia T. Morris, U.S. Magistrate Judge*Printed name and title*

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Jeremy Forsys, being duly sworn, depose and state the following:

**I. Introduction and Agent Background**

1. I am a Special Agent employed by the United States Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), Detroit, Michigan. I am currently assigned to the DHS Alliance group that investigates human smuggling/trafficking. Prior to my position with HSI, I was employed as a Federal Air Marshal with the Federal Air Marshal Service (FAMS). Prior to my position with FAMS, I was employed as an Immigration Inspector with the Immigration and Naturalization Service (INS). I am a graduate of the Federal Law Enforcement Training Center's Criminal Investigator Training Program and the Immigration and Customs Enforcement Special Agent Training School. I have participated in debriefing defendants, informants, and witnesses involved in violations of federal law. Additionally, I have testified in federal judicial proceedings related to such investigations.

2. Probable cause exists that Brian Anthony HARRIS, within the Eastern District of Michigan, violated 18 U.S.C. § 111 (assaulting, resisting, or impeding certain officers or employees).

3. This affidavit is based on information from my consultation with other law enforcement officers, a review of reports, my personal investigative efforts, and my experience and background. This affidavit does not include all the information known to law enforcement related to this investigation.

## **II. Summary of the Investigation**

4. On May 8, 2021, at approximately 3:50 p.m., HARRIS presented himself for inspection at the United States Port of Entry (POE) located at the Detroit Ambassador Bridge. HARRIS had mistakenly exited on a road that only led to Canada. On his way back toward the United States, HARRIS entered customs and spoke to Customs and Border Protection Officer (CBPO) Martinez. CBPO Martinez received a negative declaration from HARRIS and referred him for secondary inspection.

5. HARRIS was in a vehicle with Virginia plates. HARRIS presented a Virginia driver's license and U.S. Government Personal Identification Card (PIV). HARRIS was asked to exit the vehicle with his dog while CBPOs conducted an inspection of his vehicle. CBPOs discovered over 55 grams of a leafy substance and other paraphernalia that later tested positive for marijuana. After finding the marijuana, HARRIS became very augmentative with CBPOs and demanded to know the reason for the search. A Supervisory Customs and Border Protection Officer (SCBPO) spoke with HARRIS who appeared to have calmed down.

6. The SCBPO authorized a personal search of HARRIS for officer safety and narcotics. HARRIS was directed to place his dog inside his vehicle and come inside the CBP secondary inspection office. HARRIS dropped the dog leash and allowed the dog to run free in the inspection parking area. HARRIS grabbed his cellular phone and began to take a video of the surroundings and the ongoing inspection. A CBPO placed his hand on HARRIS to direct him inside the secondary inspection area. HARRIS pulled away and shoved the CBPO. HARRIS then attempted to enter the building through an employee entrance. At that time, CBPO Ingram heard another CBPO state that HARRIS appeared to be fleeing.

7. CBPO Itacy and CBPO Shambaugh were temporarily able to get HARRIS into the building while he actively resisted and was combative. CBPO Ingram attempted to gain control of HARRIS but HARRIS shoved CBPO Ingram and screamed “don’t fucking touch me.” HARRIS screamed “get the fuck away from me” while holding his fists in a fighting stance and pushing away CBPOs that approached him. CBPOs instructed HARRIS to stop resisting. HARRIS continued to resist and failed to comply with lawful directions from the CBPOs. Several CBPOs brought HARRIS to the ground while other CBPOs struggled to place a handcuff on HARRIS’ right hand as HARRIS continued to tense his arms in noncompliance. While on the ground, HARRIS was observed screaming “get off me, get away from me, I’m a federal agent, I’m a federal agent.” CBPOs restrained

HARRIS' left hand with the other handcuff and another CBPO placed leg irons on HARRIS's feet. After he was restrained, HARRIS was placed into a position of recovery before he was carried to a CBP cell by four CBPOs.

8. HARRIS continued to identify himself as a federal agent while inside the cell. After a pat down in the cell for weapons or contraband, HARRIS called officers "pussy," "bitch," "slave," "sell-out," and other negative terms specifically aimed at law enforcement.

9. I arrived at the POE and advised HARRIS of his Miranda Rights at 6:35 p.m. HARRIS signed a Statement of Rights form, waived his Miranda Rights, and agreed to answer questions. HARRIS made the following statements:

- a. He got lost, turned around on the bridge, and identified himself as a federal agent to CBPOs during secondary inspection;
- b. He had purchased the marijuana in Virginia and drove with it to Michigan;
- c. He was under constant government surveillance because he was a federal agent and was previously employed by the Federal Thrift Saving Board (TSP);
- d. He stated that politics and the Republican Party are why he was no longer employed by the government;

- e. HARRIS confirmed he was a federal agent. When asked a follow up question about his exact job duties, HARRIS responded that he was an accountant for TSP; and
- f. HARRIS denied that he assaulted the officers and explained that he resisted arrest by being stiff and not giving up his arms to avoid getting handcuffed by CBPOs.

### **III. Conclusion**

10. Probable cause exists that HARRIS assaulted, resisted, and impeded federal law enforcement officers, in violation of 18 U.S.C. § 111.



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Jeremy Fors, Special Agent  
Homeland Security Investigations

Sworn to before me and signed in my  
presence and/or by reliable electronic means.



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HON. PATRICIA T. MORRIS  
UNITED STATES MAGISTRATE JUDGE